

09/865,015

PATENT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick T. McMullen, et al.

Serial No.: 09/865,015

Filed: May 23, 2001

For: **MAGNETIC THRUST BEARING WITH
PERMANENT BIAS FLUX**

Atty. Dkt. No.: 7067-101XX/09805786

Examiner: Thanh Lam

Art Unit: 2834

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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
(37 CFR 1.121)**

I hereby certify that this correspondence is being transmitted by facsimile (703/305-3432)
to the United States Patent and Trademark Office, Commissioner of Patents and
Trademarks, Washington, D.C. 20231.

Date: December 4, 2002


NANCY NOLEN

December 4, 2002
865 South Figueroa Street, 29th Floor
Los Angeles, California 90017-2576

United States Patent and Trademark Office
Commissioner of Patents and Trademarks
Washington, DC 20231

Attention: Patent Examiner Thanh Lam

Dear Sir/Madam:

The Notice of Non-Compliant Amendment (37 CFR 1.121) mailed November 26, 2002 (copy attached) alleges that the Amendment filed November 15, 2002 in response to the Office Action of July 17, 2002 did not have a marked-up version of the replacement paragraph included. Attached is a copy of the Amendment and accompanying papers as filed on November 15, 2002 via First Class Mail, which did include a marked-up version of the amended claims.

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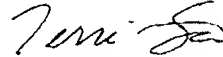
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Should there be any questions, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,



Date: December 4, 2002

Terri L. Sale
Reg. No. 45,066

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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11/21/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 6, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: _____

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 5 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dain/olia/bbz/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ PRELIMINARY AMENDMENT: Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ AMENDMENT AFTER NON-FINAL ACTION: Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Ms. Hawkins
Legal Instruments Examiner (LIE)

Dec-04-02 11:17am From-

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T-481 P.004/020 F-432



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,015	05/23/2001	Patrick T. McMullen	7067-101	3769

147 7570 11/26/2002
FULBRIGHT AND JAWORSKI LLP
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EXAMINER

LAM, THANH

ART UNIT PAPER NUMBER

2824

DATE MAILED: 11/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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